

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

<b>1) STEVEN LOGGINS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 17-CV-00110-JHP-TLW</b>
	)	
<b>1) CSAA GENERAL INSURANCE CO., INC.</b>	)	
<b>a Foreign Insurance Corporation,</b>	)	
	)	
<b>Defendant.</b>	)	

**NOTICE OF REMOVAL**

The Petitioner, CSAA General Insurance Co., Inc., Defendant in the above-captioned case, states the following:

1. The above-entitled cause was commenced in the District Court of Tulsa County, entitled *Steven Loggins v. CSAA General Insurance Co., Inc.*, Case No. CJ-2016-1476. Process was served on CSAA General Insurance Co., Inc. by certified mail on April 22, 2016. A copy of Plaintiff's Petition setting forth the claim for relief upon which the action is based is attached hereto and marked Exhibit "1". In Plaintiff's Petition, Plaintiff refused to comply with the requirements of 12 O.S. §2008(A)(2) by stating whether Plaintiff is seeking in excess of the amount required for diversity jurisdiction. A copy of the Summons served upon Defendant is attached hereto and marked Exhibit "2".

2. On February 10, 2017, Defendant took Plaintiff Steven Loggins' deposition. Plaintiff could not and would not deny he was seeking more than \$75,000.00 exclusive of costs and interests. (Deposition of Steven Loggins, 13:3-8, attached as Exhibit "3"). Plaintiff's counsel agrees that diversity jurisdiction is appropriate, and stated that if you were to ask him "How much is the bad faith worth -- and the punitive damages?" "my response is going to be, "Go -- go ask a jury."

(Exhibit “3”, 42:16-25, 43:1-3). Plaintiff is claiming business losses from the alleged loss of the Jim Glover car dealership as a client. (Exhibit “3”, 43:11-25). In addition to these damages, Plaintiff’s Petition expressly places the uninsured motorist limit of \$50,000 and medical payments limit of \$10,000.00 in controversy. (Exhibits “1”, ¶ 4). Together with Plaintiff’s deposition testimony and claim for punitive damages, these documents show the requisite amount in controversy for diversity jurisdiction and removal has been satisfied.

3. Defendant, CSAA General Insurance Co., Inc., is incorporated in the State of Indiana, with its principal place of business in a State other than Oklahoma.

4. This Court has original jurisdiction over this case pursuant to 28 U.S.C. § 1332, by reason of the fact that this is a civil action wherein the amount in controversy, exceeds Seventy-Five Thousand and No/100ths Dollars (\$75,000.00), exclusive of interest and costs and is between citizens of different states. Accordingly, this action may be removed by Defendant pursuant to 28 U.S.C. § 1441(a).

5. This Notice of Removal is filed in this Court within thirty (30) days after receipt of the transcript of Plaintiff Steven Loggins’ deposition which was taken on February 10, 2017, and delivered to Defendant’s counsel on February 20, 2017, which is the document wherein Plaintiff’s testimony demonstrates the amount in controversy has been satisfied.

6. Copies of all process and pleadings, and Orders served upon Defendant have been attached hereto as follows:

1. Petition (04/18/16)
2. Summons (Issued 04/18/16)
4. Defendant’s Answer to Plaintiff’s Petition (05/12/16)

5. Notice of Scheduling Conference (06/22/16)
6. Entry of Appearance - Andrew G. Wakeman (08/09/16)
7. Defendant CSAA General Insurance Co., Inc.'s Motion for Order Compelling Discovery or in the Alternative to Dismiss (08/15/16)
8. Agreed Scheduling Order (09/06/16)
9. Order & Notice of Pretrial Conference (09/07/16)
10. Order re: Defendant CSAA's MTC (09/09/16)
11. Order on Defendant CSAA General Insurance Co., Inc.'s Motion for Order Compelling Discovery or in the Alternative to Dismiss (09/09/16)
12. Advisement of Past Due Discovery and Request for Dismissal (09/29/16)
13. Plaintiff's Notice of Discovery Compliance (09/30/16)
14. Advisement of Receipt of Plaintiff's Discovery Responses (10/03/16)
15. Joint Motion for Extension of Scheduling Order Deadlines (12/16/16)
16. Agreed Amended Scheduling Order (01/03/17)
17. Notice of Pretrial Conference - 05/30/17 at 10:00 a.m. CR 513 (01/10/17)
18. Amended Notice of Pretrial Conference - 05/31/17 at 10:30 a.m. CR 513 (02/23/17)

**WHEREFORE**, Defendant, identified by Plaintiff as CSAA General Insurance Co., Inc.,  
a California Corporation, pray that this action be removed.

Dated this 6th day of March, 2017.

Respectfully submitted,

**ATKINSON, HASKINS, NELLIS,  
BRITTINGHAM, GLADD & FIASCO**  
A PROFESSIONAL CORPORATION

/s/ James N. Edmonds, OBA #15757  
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*Attorneys for Defendant, CSAA*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 6, 2017, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Thomas Mortensen  
Mortensen & Associates, LLC  
1331 S. Denver Ave.  
Tulsa, OK 74119  
*Attorney for Plaintiff*

/s/ James N. Edmonds, OBA #15757

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